



INFORMATIONAL MEMO

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TITLE: HCBS SETTINGS FINAL RULE—ANNOUNCEMENT OF FAQ PART IV

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**DIVISION AND OFFICE: BENEFITS AND SERVICES MANAGEMENT DIVISION,
OFFICE OF COMMUNITY LIVING**

PROGRAM AREA: HCBS WAIVERS

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**KEY WORDS: HOME AND COMMUNITY-BASED SERVICES SETTINGS FINAL
RULE, HCBS, FREQUENTLY ASKED QUESTIONS, FAQs, EMPLOYMENT,
PREVOCATIONAL SERVICES, SUPPORTED EMPLOYMENT**

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Purpose and Audience:

The purpose of this Informational Memo is to inform providers, case managers, and other stakeholders of the issuance of guidance regarding employment-related services under the [Home- and Community-Based Services \(HCBS\) Settings Final Rule](#).

Background:

In 2014, the federal Centers for Medicare & Medicaid Services (CMS) published a rule to ensure that individuals receiving HCBS have full access to the greater community and live and receive services in integrated, non-institutional settings.

Information:

The Department of Health Care Policy & Financing (Department) has published responses to Frequently Asked Questions (FAQs) regarding general requirements of the rule and its implementation ([FAQ Part I](#), [FAQ Part II](#)) as well as the requirement of a lease or other written agreement protecting individuals from eviction ([FAQ Part III](#)).

FAQ Part IV is published today as an attachment to this Informational Memo.

It addresses employment-related services and the requirement in the HCBS Settings Final Rule that “[t]he setting [be] integrated in and support[] full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive, integrated settings, engage in community life,

control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.”

Individuals receiving HCBS, as well as their family members, friends, and advocates, are invited to read FAQ Part IV. Providers and case management agencies serving HCBS participants are required to read and comply with FAQ Part IV.

Attachments:

FAQ Part IV

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